



Dennis J. Duffin
Director

The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108
727-8352

AO-1983-10

August 4, 1983

Michael J. Barrett
State Representative
State House
Room 236
Boston, MA 02133

Dear Representative Barrett:

You have recently requested an opinion relative to the legal requirements, as contained in G.L. c. 55, the Massachusetts campaign finance law, involved in the purchase of a computer by your political committee.

M.G.L. c. 55, Section 6, states in relevant part that "Any other political committee, duly organized, may receive, pay and expend money or other things of value for the enhancement of the political future of the candidate or the principle, for which the committee was organized so long as such expenditure is not primarily for the candidates' or any other persons' personal use..." In your letter, you have stated that "the primary value of this equipment is to communicate with my constituents, and to prepare for the day when I might wish to expand my base of support in order to run for higher office." In my opinion, this activity is consistent with the above-described requirement that expenditures enhance the candidates' political future. Therefore, c. 55 would permit the purchase of the word processor as you have described and for the reasons you have stated, by your political committee.

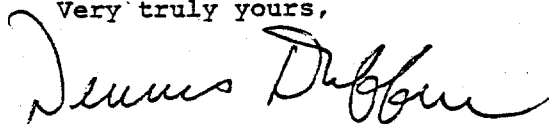
Because your political committee is expending funds to acquire the use of the word processor/computer, its use must be restricted to political purposes. Furthermore, the location of such an item must indicate its intended use. In Anderson v. City of Boston, Mass. Adv. Sh. 2297 (1978), the Supreme Judicial Court stated that the provisions of M.G.L. c. 55 "demonstrate a general legislative intent to keep political fund-raising and disbursing out of the hands of non-elective public employees and out of city and town halls." While this case dealt specifically with municipalities, M.G.L. c. 55, Section 13-17 extends that prohibition to state and county buildings as well. In light of this, c. 55 would not permit you to locate an item purchased by your political committee in your State House office. Rather, this item must be located in an area appropriate to its use by your political committee for primarily campaign purposes, such as space leased by your political committee, the home of your treasurer or your own home.

Michael J. Barrett
August 4, 1983
Page 2

Any item or any other thing of value which is acquired with funds of a political committee remain the property of that committee. Any such property may in no way be used "primarily for the candidates' or any other persons' personal use," as stated in Section 6. Furthermore, at such time that your committee is dissolved, this item must be disposed of in accordance with the provisions for dissolution contained in G.L. c.55.

This opinion has been rendered solely on the basis of representations made by you, and no independent investigation of any activities contained herein has been made. If you have any further questions, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Dennis Duffin", written in a cursive style.

Dennis J. Duffin
Director

DJD/mam